

Shirley, Lori (NYSHCR)

From: Brenda Philpott <philpottblp@hotmail.com>
Sent: Friday, November 17, 2017 4:41 PM
To: Shirley, Lori (NYSHCR); shelly.johnson@co.delaware.ny.us;
CrouchC@assembly.state.ny.us
Subject: Re: Sidney- Circle Drive Development Project, Response to Public Comments ad Public Notice

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Dear Ms. Shirley,

Myself, my neighbors, and all concerned do not want this so called Sidney Circle Drive Development!!!!!!

We insist on our neighborhood remaining as "Single Family Residential". This is spot zoning and we will resist this until someone realizes this is not suitable for **our neighborhood.**

The 150 Sidney, NY neighborhood petitioners have indeed been trampled on by a political agenda. Sidney does not need this uproar, our area has been through enough misfortune from the floods and now all of this **"BULLYING"**.

We are totally disgusted with your departments and all concerned parties with your arrogance and total disrespect for us as homeowners and residents of this community.

Shame on all of you!

Brenda Philpott
2200 County Rte 4
Sidney, NY 13838

From: Shirley, Lori (NYSHCR) <Lori.Shirley@nyshcr.org>
Sent: Friday, October 20, 2017 3:17 PM
To: Brenda Philpott (philpottblp@hotmail.com)
Cc: amatviak@gmail.com; John Redente (jredente1@gmail.com); Shelly Johnson-Bennett (shelly.johnson@co.delaware.ny.us)
Subject: Sidney- Circle Drive Development Project, Response to Public Comments

Dear Mrs. Philpott,

Attached is GOSR's response to your comments. A paper copy is also being sent to you by U.S. Mail.

As always, please feel free to telephone or email me if you have any questions.

Thank you,

Sincerely,
Lori

Lori A. Shirley

Director, Bureau of Environmental Review and Assessment

Governor's Office of Storm Recovery

New York State Homes & Community Renewal

38-40 State Street, Albany, NY 12207

Office: (518) 474-0755 | Cell: (917) 446-2281 | Lori.Shirley@nyshcr.org

www.stormrecovery.ny.gov



Governor's Office of Storm Recovery

ANDREW M. CUOMO
Governor

LISA BOVA-HIATT
Executive Director

By Email and U.S. Mail

Brenda Philpott
2299 County Rte 4
Sidney, NY 13838

October 20, 2017

Dear Mrs. Philpott:

Attached is the response of Governor's Office of Storm Recovery (GOSR) to the your comments on the NEPA review of the Sidney- Circle Drive Development Project. The document will also be posted to GOSR's Environmental Review website at <https://stormrecovery.ny.gov/environmental-docs>. It will be posted under the Community Reconstruction heading, Delaware County subheading.

Thank you for your comments.

Sincerely,

Lori A. Shirley
Director, Bureau of Environmental Review and Assessment
Governor's Office of Storm Recovery
NYS HCR
38-40 Hampton Plaza
Albany, New York 12207
Lori.Shirley@nyshcr.org

Attachment

**Circle Drive Neighborhood Development, Village of Sidney, Delaware County,
NY**

Environmental Assessment- Response to Public Comments

**New York State Homes and Community Renewal
Governor's Office of Storm Recovery**

38-40 State Street
Albany, NY 12207

October 20, 2017

Shirley, Lori (NYSHCR)

From: Brenda Philpott <philpottblp@hotmail.com>
Sent: Tuesday, June 27, 2017 11:56 AM
To: nyshcr.sm.nyscdbg.dr.er
Subject: Sidney NY Circle Drive Development Project

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Dear Ms. Shirley,

Per our telephone conversation this morning regarding your Public Notice dated 6/15/2017, I am requesting information if I could ask for a 60 day extension for our Sidney NY community to respond to this notice. There seems to be some clarification that may be needed because of the scope of this project. One example of a question that I had for you was regarding your paragraph three which states that the Delaware County Planning Department will be acquiring and will develop four parcels on which to construct single and MULTI-FAMILY housing.

I believe I need clarification on this as one example in order to send my comments to you.

Thank you.

Brenda Philpott
2200 Cty Rte 4
Sidney, NY 13838
607-434-2906

Shirley, Lori (NYSHCR)

From: Brenda Philpott <philpottblp@hotmail.com>
Sent: Wednesday, June 28, 2017 4:46 PM
To: nyshcr.sm.nyscdbg.dr.er
Subject: BrendaPhilpott's comments and concerns regarding Public Notice

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Dear: GOSR, Lori A. Shirley – Certifying Officer and Tennille Smith Parker, Disaster Recovery and Special Issues Division

I am writing to express opposition to the Circle Drive Development Project for Sidney, NY and urge you to respect submission of our local resident's petition (114 signatures) which was signed and submitted to the Delaware County Planning Department, Shelly Johnson-Bennett, Interim Director, 1 Page Ave, Delhi, NY, and submitted to our Village of Sidney Board and our Town of Sidney Board.

This project is driven by GREED, not necessity. This project enriches the developer and the owner at the expense of lowering property values and the quality of life of myself and my neighbors in their "single family" homes.

First my comments apply to your Public Notice of both Combined Notice of Finding No Significant IMPACT (FONSI) and your Notice of Intent To Release of Funds (NOIRROF) dated June 15, 2017:

1. I attended a Sidney Town Board Meeting on June 8, 2017 at which time the Town Supervisor acknowledged receipt of and addressed to the public the contents of a letter received from GOSR , Lori A Shirley-Certifying Officer dated May 24, 2017. After much discussion, the Town Board voted on a motion to establish their own SEQR review and advise GOSR accordingly. As her letter stated, potential cooperating, involved, or interested agencies needed to reply to her **by June 24, 2017** or the party (Town of Sidney) consents for GOSR to serve as lead agency for review under SEQRA. The Town of Sidney, per our Supervisor advised me that a letter(reply) to GOSR was sent in a timely manner as stated in her letter by the requested date.
2. So how and why can the Public Notice from Lori A. Shirley(GOSR) be **issued on June 15, 2017?**
3. The Town of Sidney responded to her letter before the deadline date of June 24, 2017. So how and why again was this Public Notice released and decided on **prior** to the Town

of Sidney “not” giving their consent? Do you just do as you please because grant money may be available. You must realize that most of the neighbors in the affected area are against this Circle Drive Project and 114 direct neighbors had signed and submitted a petition that is on record at the Delaware County office (Shelly Johnson-Bennett). Additional residents have also signed the petition and will also be submitted to Delaware County. Most know that grant moneys could be used in a more effective and efficient manner for our devastated Village of Sidney residents.

4. Paragraph three of your Public notice indicates that the Delaware County Planning Dept with funds provided to them by GOSR will acquire and develop four parcels on which to construct single and MULTI family housing. I believe this statement to be in error and has misled our community. I am requesting this Public Notice be retracted and I am requesting a 60-day extension from the time a corrected Public Notice is released because of the confusion and now the necessary time to understand the real facts of this situation.
5. I need time to discuss with you the errors I found in the document prepared by Tetra Tech Inc., again this has misled the public.
6. Many of us have attended the Village and Town meetings continuously for over a year now stating that our **opposition to this project** is unconditional. NO advantages for single family homeowners, why locate multiple housing in our single family neighborhood. Again, any and all benefits are for the developer only.
7. Our local zoning, environmental assessments, and regulations have been superceded by other agencies when it comes to the siting of this type of project and it tramples the rights of the local citizens to make their own determination on the best interests of our community. I want to advocate “NO BUILD” as the only option that preserves our environment, our health, our wetlands and wildlife at this location. This project will undermine the safety of our water resources in the area. (wells, aquifers, etc).
8. This issue is extremely important, you must know that this proposed project has caused great concern among many of my neighbors in the direct vicinity of this proposed project site. Our petition with our large number of neighborhood opposition has been ignored.
9. We do not understand the need for additional housing particularly due to the fact that there are large numbers of single family homes for sale, I believe at least 90 or more, outside the flooded areas within the Village of Sidney, and have been available for sale for a long time now. Our Village of Sidney has many available apartments at this time outside the flooded areas. Are you even aware of how many apartment buildings we actually have? I think not.
10. Although our downtown, riverine area of the village has suffered through two floods (2006 and 2011) the assistance was not there for the homeowners, therefore MOST have moved out of the Village shortly after the floods. Many historic homes have been lost, turned into multiple low income housing, and will be lost in future floods because

nothing is being done to protect those houses as well as our long-standing citizens in the future.

11. For 11 years now, our Village citizens have suffered. I am a lifelong resident (over 45 years) of Sidney, NY and I treasure my community. Our wonderful single family homes, rural feel, small town sense of community is what keeps me here. There is a clear consensus in the village and town that this project is not needed. Lack of consideration is evidenced and has failed our community for years now.

My late husband and I purchased my current home, a ranch style house consisting of one acre of land from the St Luke's Lutheran Church in 1987. (30 years ago now) When purchased, my property was then and is still currently zoned as Residential Agricultural (RA) in the Town of Sidney located at 2200 County Highway 4, previously known as Upper West Main St, Sidney New York.

Briefly, in 2008, Two-Plus Four entered into an option agreement with St Luke's Church to develop a Senior Citizen Housing Unit contingent on funding for all or a portion from the State of New York. At that time, the State of New York rejected Two Plus Four's initial application for funding (at least partially) on the grounds that the property was not located in the Village of Sidney, it was located in the Town of Sidney. So, as owner's of the St Lukes Lutheran Church and the owner's of the VFW Post 7914 they together decided to join with Two Plus Four as contract vendee in a Petition for the Annexation from the Town of Sidney to the Village of Sidney. My home borders the St Luke's Lutheran Church's remaining acreage and church, a total of 5.682 acres mainly open land.

After a joint hearing to petition for annexation of territory for Tax Map No 138.2-7.1 and Tax Map No 138.8-3-1, a Village of Sidney document dated February 26, 2008 was filed with the Village Clerk and duplicate to the Town Clerk for filing which stated this resolution and order was adopted. And that upon such annexation, the premises shall be zoned R1. (The complete document is available for public information/review.) Again, this action of annexation into the Village of Sidney, changed the zoning from (RA Town) to now R1 Village for the St Luke's Church and the VFW Post 7914. Amazing how the neighborhood can change when there is an opportunity to make money by a land owner.

In 1996, the St Luke's Lutheran Church with Rainbow Day Care requested a permit to construct a building on their St Luke's property to rent the building out to them. Eventually they withdrew their permit for many reasons. (These documents are also available to the public.) Again an opportunity to make money.

In 1987, my late husband and I submitted an application for a use variance for our Rental Business on our property to the Town of Sidney Zoning Board of Appeals. In the Public hearing representatives from the St Luke's Lutheran Church voiced their opinion: 1. Mrs. Roma Haag spoke on behalf of St Luke's Church stating that it was their expressed wish to keep the

property residential because they did not want to change the character of the neighborhood. 2. Mr. Leidy spoke and confirmed the fact that the church wished to keep the property residential. He stated he also represented the church. 3. Then Mr. Ray Haag spoke and stated that he also believed that the change would violate the character of the neighborhood. He also warned the board against "spot" zoning. So the decision of the Zoning Board was unanimously "no" to our variance.

So, please respond to my comments, but apparently the decision has been made.

Sincerely,

Brenda L.Philpott

Concerned Town of Sidney, NY resident

cc:

Clifford Crouch, Assembly District 122

Shelley Johnson-Bennett, Delaware County

HUD

RE: GOSR Environmental Review Record, Circle Drive Neighborhood Development Project /Environmental Assessment Form from Lori A. Shirley, Certifying Officer, GOSR dated June 15, 2017.

First, just as a note, as a “bordering” neighbor, homeowner and very interested party, I do want to mention the following: The combined notice that was published in the newspaper dated June 15, 2017, FONSI/NOIRROF must comply with 24 CFR 58.43 - Dissemination and/or publication of the findings of no significant impact document. As indicated in, Part (c) - The responsible entity(which is NYS Homes and Community Renewal) must consider the comments and make modifications, if appropriate, in response to the comments, **before it completes the environmental certification and before the recipient**, (which is NYS Homes and Community Renewal), **submits it’s RROF** which is the notice of intent to Request Release of Funds. Therefore I have questions/comments for almost each page.

Questions/Comments:

Page 2 of 49 – Project Location – 21 Liberty St, Village of Sidney....please clarify this address.??

Environmental Finding, No significant Impact – the quality of our “HUMAN LIFE” is impacted dramatically! See our neighborhood petition of over 130 residents. Your study is all about how this will impact the new renters, not about the impact of the current residents. Money, greed, that’s what your “study” is all about.

Page 4 Type I Action – please explain in detail why this is classified as Type I and explain differences between Type I and Type 11 for this location.

Environmental Impact Statement (EIS) – why is this not filled out?

Page 5 – The Delaware County Planning Dept proposes to acquire and develop three parcels.....Please explain this paragraph. I believe this is incorrect/misleading. This must be explained in detail. There is a SPARC application from Two-Plus Four, why are you hiding that information in this

paragraph? This should be clarified in detail due to all funding as indicated on page 7 of 49.

Paragraph 4, Statement of Purpose and Need..same page –\$3.8 billion in flexible funding...CDBG-DR program...to concentrate aid to four main areas: housing recovery... Why have these funds not been used properly to help the devastated home owners for housing recovery, needed repairs, so we do not have to demolish homes and lives from this community. Our village community is completely ruined. People are broken, financially overloaded with debt. Who is advocating new housing, where is any **recent 2016-2017** data from flood affected homeowners on this subject. Can I see a survey with this information, i.e. elevation and demolition numbers as one item, or if there is no recent information, I believe you should really get the current comments somehow from residents and make it public. I don't believe there is anyone left that can or wants to build a house in Sidney.

Page 6, para 2, Existing Conditions and Trends – what is the current 2017 approximate population, number of occupied houses, number of houses for sale (I believe over 90 outside of flooded area for sale)? Current unemployment rate, poverty rate?

Page 7 Funding Information – this need to be explained to the public in more detail, this is very vague information. I mean current information, up to date.

Page 8 Project area, - this is too close to the wetlands and wildlife. Just this morning I had 5 of the large number of deer on my back lawn, then they passed thru to the very busy County Rte 4 in front of my home and were almost hit by a vehicle. How can you justify a road to be constructed on the St Lukes property behind my house and County Rte 4 in front of my house and let the animals try to survive all of this traffic. The deer, bear, raccoons, skunks, rabbits, squirrels, fox, coyotes etc. do not have a chance to live.

Page 18 Radon – the project site has the highest level of Radon, this will be costly and the developer will incur costs for future testing/containment. When this

affects my home directly, is GOSR going to install equipment in my home to protect me from these high levels of Radon being released/disturbed?

Page 19 – PCB's - We need to see a thorough evaluation of this. All property sites.

Page 20 – Endangered species – we need to see current information on this.

Page 21 – this site “may” affect ..long eared bats. We need more data on accurate,current studies of this.

Page 22- Explosive and Flammable Hazards – Above ground storage ...I have a 500 gallon propane tank and will be increasing the size/amounts to accommodate heating for my inground pool. I directly border the St Lukes property.

Page 23 – Farmland protection, is this farmland just going to be destroyed, we need to see your score assessment.

Page 24,25,26,27,28 – Historic preservation- this is a huge issue, artifacts found are relevant to this area. We need to see your future Phase 1B complete results to critique. The Delaware Tribe as well as other tribes (Haudenosaunee Six Nations) have a well known large presence in this area of proposed building sites. Do you just identify and then ignore historical sites in the immediate area.

We need to see up-to-date drawings of roads, curbing, parking, apartment complexes, infrastructure. I don't see where the Village has approved any application or site plan reviews? This is a completely single family home area.

Page 29 – Noise Abatement- I cannot see any evidence that I will not be directly affected by the “combination” of noise levels at my home from I-88, County Rte4 and now a proposed large road directly abutting my property. Wow how would you like to live with the noise level of being surrounded in an island of 3 major roads. You really need to prove this one to me!!!!

Page 30 – Sole Source Aquifers, please provide 2017 studies on this, wells in area, underground waterways. Are you aware of the underground water source that flows from the upperpart of the golf course thru the front of my yard to the back of my yard next to my foundation and my inground pool. You need to evaluate

the effect on this water source, the direction of this and how any disruption of this will ruin my foundation and inground pool. This will be unbelievably costly and I will not be responsible for damages due to any ignorance from water issues that are ignored by your agency. My town property is not going to be ruined by water issues.

Wetlands Protection – the wetlands will be affected by this development. So we now will have the Town area ruined as well. Ruin the whole area outside the Village and see who wants ever live here anyways. Really disturbing what lengths your agency will go to.

Page 34 thru 42 – your impact codes are hilarious for these pages, I totally disagree with all of these pages and want to see backup for all of this. I have carefully studied all of this and you need to show me proof.

What about these issues that will directly affect me and my neighbors.

1. I am in the town and will be completely placed in an island surrounded by village projects, 3 major roads, water disruption on my land, stormwater pollution, environmental damage an disruption, dangerous traffic to the children near the school and the crowds of people attending the school activities at the football field, softball fields and soccer. Huge traffic and safety concerns. Where is the study on traffic flow and real effects.
2. Our Community does not want R3 zoning in our R1 zoned area. The expense for this is not practical for our village. Homeowners needed funds for elevation and to repair their homes. Now they have left in droves and our financially ruined. Houses abandoned in ruins.
3. This cluster type environment is not suitable in single family owned home areas. There are many other areas in the village that have been totally ignored for this type of project. Do you realize that there are many multiple housing units for sale because they do not have enough tenants? For some time now, we have seen an influx of people that eventually just moved on to other towns because of lack of employment for various reasons. New tenants do not stay long in this area, a lot of moving in and right back out.

4. Lighting, noise at all hours, zoning issues, could this just be all about the developers and land owners making money and not even considering the neighborhood objection., the real people "HUMANS" that live here.
5. Don't forget that the Delaware Tribe has asked for a Phase 1b Archeological Study. This needs to be done with respect to them, not rushed through like they do not matter. This is a relatively high historical area. Do we just get trampled on with no recourse?
6. There are so many issues that need to be discussed. I believe this is just being pushed through with no consideration to the real issues and concerns of the people.

Brenda Philpott

2200 County Rte 4

Sidney, NY 13838

Comment Letter- Part 1 (June 28, 2017)

RE: GOSR Environmental Review Record, Circle Drive Neighborhood Development Project /Environmental Assessment Form from Lori A. Shirley, Certifying Officer, GOSR

Dear: GOSR, Lori A. Shirley – Certifying Officer and Tennille Smith Parker, Disaster Recovery and Special Issues Division

I am writing to express opposition to the Circle Drive Development Project for Sidney, NY and urge you to respect submission of our local resident's petition (114 signatures) which was signed and submitted to the Delaware County Planning Department, Shelly Johnson-Bennett, Interim Director, 1 Page Ave, Delhi, NY, and submitted to our Village of Sidney Board and our Town of Sidney Board.

This project is driven by GREED, not necessity. This project enriches the developer and the owner at the expense of lowering property values and the quality of life of myself and my neighbors in their "single family" homes.

First my comments apply to your Public Notice of both Combined Notice of Finding No Significant IMPACT (FONSI) and your Notice of Intent to Release of Funds (NOIRROF) dated June 15, 2017:

1. I attended a Sidney Town Board Meeting on June 8, 2017 at which time the Town Supervisor acknowledged receipt of and addressed to the public the contents of a letter received from GOSR, Lori A Shirley-Certifying Officer dated May 24, 2017. After much discussion, the Town Board voted on a motion to establish their own SEQR review and advise GOSR accordingly. As her letter stated, potential cooperating, involved, or interested agencies needed to reply to her **by June 24, 2017** or the party (Town of Sidney) consents for GOSR to serve as lead agency for review under SEQRA. The Town of Sidney, per our Supervisor advised me that a letter(reply) to GOSR was sent in a timely manner as stated in her letter by the requested date.

Response: Comment noted.

2. So how and why can the Public Notice from Lori A. Shirley(GOSR) be **issued on June 15, 2017?**

Response: The Pubic Notice issued by the Governor's Office of Storm Recovery (GOSR) on June 15, 2017 was not related to the SEQR review referenced above. The notice was issued as part of the National Environmental Policy Act (NEPA) environmental review process. The notice was the Finding of No Significant Impact (FONSI) and Notice of Intent to Request Release of Funds (NOIRROF)- a step in the NEPA review process. The notices issued under NEPA are

independent of the SEQR process.

The Town of Sidney responded to her letter before the deadline date of June 24, 2017. So how and why again was this Public Notice released and decided on **prior** to the Town of Sidney “not” giving their consent? Do you just do as you please because grant money may be available.

Response: See Response to Comment 2 above regarding the two separate reviews- one under NEPA and one under SEQR.

You must realize that most of the neighbors in the affected area are against this Circle Drive Project and 114 direct neighbors had signed and submitted a petition that is on record at the Delaware County office (Shelly Johnson-Bennett). Additional residents have also signed the petition and will also be submitted to Delaware County. Most know that grant moneys could be used in a more effective and efficient manner for our devastated Village of Sidney residents.

Response: The NY Rising Community Reconstruction (NYRCR) planning process engaged members of the Sidney community to develop the NYRCR Sidney Plan finalized in 2014. All members of the Sidney community had the opportunity to participate in this planning process which resulted in the NYRCR plan which resulted from extensive public outreach.

While funded by GOSR, project implementation is led by County and Village government. GOSR provides grants to local entities to ensure that projects reflect local preferences at every step.

3. Paragraph three of your Public notice indicates that the Delaware County Planning Dept with funds provided to them by GOSR will acquire and develop four parcels on which to construct single and MULTI family housing. I believe this statement to be in error and has misled our community. I am requesting this Public Notice be retracted and I am requesting a 60-day extension from the time a corrected Public Notice is released because of the confusion and now the necessary time to understand the real facts of this situation.

Response: The notice will be republished to clarify that GOSR proposes to provide CDBG-DR funding to Delaware County (Delaware Opportunities), Lakewood Development II, LLC and the Village of Sidney to acquire and develop parcels near the intersection of Circle Drive and West Main Street (the proposed Circle Drive Development project) to construct up to 22 single-family homes, 10 two-family townhomes, and the infrastructure necessary to support the development.

In response to your request for an extension of the comment period, GOSR extended the comment period from June 30, 2017 to August 7, 2017. On August 7, 2017, your comments were received.

4. I need time to discuss with you the errors I found in the document prepared by Tetra Tech Inc., again this has misled the public.

Response: In response to your request, GOSR extended the comment period from June 30, 2017 to August 7, 2017. On August 7, 2017, comments were received.

5. Many of us have attended the Village and Town meetings continuously for over a year now stating that our **opposition to this project** is unconditional. NO advantages for single family homeowners, why locate multiple housing in our single-family neighborhood. Again, any and all benefits are for the developer only. Our local zoning, environmental assessments, and regulations have been superseded by other agencies when it comes to the siting of this type of project and it tramples the rights of the local citizens to make their own determination on the best interests of our community. I want to advocate “NO BUILD” as the only option that preserves our environment, our health, our wetlands and wildlife at this location. This project will undermine the safety of our water resources in the area. (wells, aquifers, etc.).

Response: While funded by GOSR, project implementation will be led by County and Village government. All applicable local, state and federal regulations and laws will be adhered too. All interested environmental agencies have been consulted as part of this NEPA review.

Water resources will not be adversely impacted. The proposed project site is not located over a Sole Source Aquifer.

The project engineer and the Village DPW conducted a groundwater investigation at the project site on September 18, 2017. The investigation revealed that groundwater is not present on the site to a depth of at least 7 feet on any of the properties involved in the project. Rather, the presence of “groundwater” observed on the site is the result of drainage from areas elevated above the project properties, which would be addressed by the stormwater drainage infrastructure being designed for the site.

In addition, the Village of Sidney Water Department has determined that it has the capacity to adequately service the proposed project. The Water Department supplies and operates the water system in Sidney. Water for the Village of Sidney is supplied by two wells. The Village also has two upland reservoir systems as standby storage with capacities of 86 million and 45 million gallons. These reservoirs are currently not in use but are available for backup if needed. The primary water supply well was developed in 1988 and pumps at a rate of 780-800 gallons per minute. The Village of Sidney has one potable water storage tank with a storage capacity of 2 million gallons.

6. This issue is extremely important, you must know that this proposed project has caused great concern among many of my neighbors in the direct vicinity of this proposed project site. Our petition with our large number of neighborhood opposition has been ignored.

Response: Throughout the NYRCR process, the Village and its partners have kept its citizens apprised of developments concerning the NYRCR program. This has been accomplished through local meetings and local media to include print, radio and web-based announcements and updates.

The Board of Trustees of the Village of Sidney has adhered to all Citizens Participation requirements, as adopted by the Board of Trustees on April 27, 2015. As part of these requirements, the Village has responded to citizens' concerns throughout the process, including a response to your submitted petition through the Tri-Town News, in its August 10, 2017 edition.

7. We do not understand the need for additional housing particularly due to the fact that there are large numbers of single family homes for sale, I believe at least 90 or more, outside the flooded areas within the Village of Sidney, and have been available for sale for a long time now. Our Village of Sidney has many available apartments at this time outside the flooded areas. Are you even aware of how many apartment buildings we actually have? I think not.

Response: The Governor's Office of Storm Recovery (GOSR) engaged the local community and officials over the course of several years to determine the overall needs of the Sidney community, including an analysis of the existing housing conditions, and how to address those needs. As discussed above in response to Comment 3, the NY Rising Community Reconstruction (NYRCR) planning process engaged members of the Sidney community to develop the NYRCR Sidney Plan finalized in 2014. The NYRCR Sidney Plan Section II: Assessment of Risk and Needs analyzed housing in Sidney and indicated that "More diversity in housing types are need, including well-managed rental housing, affordable starter homes, independent senior apartments and cottages near services and retail, assisted living for seniors and the disabled, and high-end homes for upper management professionals". To address the analysis in the Assessment of Risk and Needs, the NYRCR community planning process developed a Section III: Reconstruction and Resiliency Strategies recommended the creation of a new neighborhood by acquiring and annexing acreage within the Town of Sidney to create a new, flood-safe, complete community. All members of the Sidney community had the opportunity to participate in this planning process which resulted in the NYRCR plan which resulted from extensive public outreach.

8. Although our downtown, riverine area of the village has suffered through two floods (2006 and 2011) the assistance was not there for the homeowners, therefore MOST have moved out of the Village shortly after the floods. Many historic homes have been

lost, turned into multiple low income housing, and will be lost in future floods because nothing is being done to protect those houses as well as our long-standing citizens in the future.

Response: Over the course of several years, Federal, State, and local jurisdictions have worked to support the rehabilitation of housing within Sidney. Specifically, The NY Rising Homeowners Program opened to assist homeowners impacted by Tropical Storm Lee. The Program provided grants to reconstruct, repair, and elevate storm-impacted homes. In coordination with funds provided by directly by the NY Rising Homeowners Program, NY Rising coordinated with FEMA to provide funds to either elevate or buyout home continuously impacted by storm events. Further, the NYS Affordable Housing Corporation has provided grants to applicants to bring homes in Sidney up to compliance with the NYS building code.

9. For 11 years now, our Village citizens have suffered. I am a lifelong resident (over 45 years) of Sidney, NY and I treasure my community. Our wonderful single family homes, rural feel, small town sense of community is what keeps me here. There is a clear consensus in the village and town that this project is not needed. Lack of consideration is evidenced and has failed our community for years now.

Response: As discussed in the State's action plan, the State is committed to a community-driven recovery. GOSR provides grants to local leaders or directly to homeowners to ensure that projects reflect local preferences at every step. As discussed above in response to Comment 3, the NY Rising Community Reconstruction (NYRCR) planning process engaged members of the Sidney community to develop the NYRCR Sidney Plan finalized in 2014.

Comment Letter- Part 2 (June 15, 2017)

RE: GOSR Environmental Review Record, Circle Drive Neighborhood Development Project /Environmental Assessment Form from Lori A. Shirley, Certifying Officer, GOSR

First, just as a note, as a “bordering” neighbor, homeowner and very interested party, I do want to mention the following: The combined notice that was published in the newspaper dated June 15, 2017, FONSI/NOIRROF must comply with 24 CFR 58.43 - Dissemination and/or publication of the findings of no significant impact document. As indicated in, Part (c) - The responsible entity (which is NYS Homes and Community Renewal) must consider the comments and make modifications, if appropriate, in response to the comments, **before it completes the environmental certification and before the recipient**, (which is NYS Homes and Community Renewal), **submits it's RROF** which is the notice of intent to Request Release of Funds. Therefore I have questions/comments for almost each page.

Questions/Comments:

Comment- Page 2 of 49 – Project Location – 21 Liberty St, Village of Sidney....please clarify this address.??

***Response:** This was an error which has been corrected to state: Intersection of Circle Drive and Main Street, Village of Sidney, Delaware County, New York, 13838*

Environmental Finding, No significant Impact – the quality of our “HUMAN LIFE” is impacted dramatically! See our neighborhood petition of over 130 residents. Your study is all about how this will impact the new renters, not about the impact of the current residents. Money, greed, that’s what your “study” is all about.

***Response:** An environmental review is the process of reviewing a project’s potential environmental impacts to determine whether it meets federal, state, and local environmental standards. The proposed project will be required to meet all environmental regulations and standards.*

Comment- Page 4 Type I Action – please explain in detail why this is classified as Type I and explain differences between Type I and Type 11 for this location.

***Response:** A Type I action means an action or class of actions that is more likely to have a significant adverse impact on the environment than other actions or classes of actions. Type I actions are listed in the statewide SEQR regulations (617.4). The Type I list in 617.4 contains numeric thresholds; any actions that will equal or exceed one or more of the thresholds would be classified as Type I.*

Type II actions are those actions, or classes of actions, which have been found categorically to not have significant adverse impacts on the environment, or actions that have been statutorily exempted from SEQR review. They do not require preparation of an EAF, a negative or positive declaration, or an EIS. Any action or class of actions listed as Type II in 617.5 requires no further processing under SEQR. There is no documentation requirement for these actions, although it is recommended that a note be added to the project file indicating that the project was considered under SEQR and met the requirements for a Type II action.

Comment- Environmental Impact Statement (EIS) – why is this not filled out?

Response: SEQR establishes a process to systematically consider environmental factors early in the planning stages of actions that are directly undertaken, funded or approved by local, regional and state agencies. By incorporating environmental review early in the planning stages, projects can be modified as needed to avoid adverse impacts on the environment. Once an action has been classified, the next step in the process is to systematically consider environmental factors associated with the action to make a reasoned determination regarding the likelihood that the action may have a significant adverse impact on the environment. For Type I and Unlisted actions, the initial SEQR tool used to make this determination is the Full Environmental Assessment Form (EAF). The outcome of the review would either be a negative declaration indicating the action will not have significant adverse environmental impacts or a positive declaration indicating the action may result in one or more significant environmental impacts and therefore will require the preparation of an EIS before the agency makes any decisions regarding the action. GOSR has issued a Negative Declaration for this project. The SEQR review can be found at the following website <https://stormrecovery.ny.gov/environmental-docs> under the Community Reconstruction heading, Delaware County subheading.

Comment- Page 5 – The Delaware County Planning Dept proposes to acquire and develop three parcels... Please explain this paragraph. I believe this is incorrect/misleading. This must be explained in detail. There is a SPARC application from Two-Plus Four, why are you hiding that information in this paragraph? This should be clarified in detail due to all funding as indicated on page 7 of 49.

Response: The Environmental Assessment (EA) has been revised to provide clarification that GOSR proposes to provide CDBG-DR funding to the Delaware County Planning Department (Delaware Opportunities), Lakewood Development II, LLC and the Village of Sidney to acquire and develop three parcels to construct: The notice will be republished to clarify that GOSR proposed to provide CDBG-DR funding to Delaware County (Delaware Opportunities), Lakewood Development II, LLC and the Village of Sidney to acquire and develop parcels near the intersection of Circle Drive and West Main Street

(the proposed Circle Drive Development project) to construct up to 22 single-family homes, 10 two-family townhomes, and the infrastructure necessary to support the development. The revised EA will be posted to GOSR's Environmental Review website upon republication of the FONSI.

Comment- Paragraph 4, Statement of Purpose and Need same page –\$3.8 billion in flexible funding...CDBG-DR program...to concentrate aid to four main areas: housing recovery... Why have these funds not been used properly to help the devastated home owners for housing recovery, needed repairs, so we do not have to demolish homes and lives from this community. Our village community is completely ruined. People are broken, financially overloaded with debt. Who is advocating new housing, where is any **recent 2016-2017** data from flood affected homeowners on this subject. Can I see a survey with this information, i.e. elevation and demolition numbers as one item or if there is no recent information, I believe you should really get the current comments somehow from residents and make it public. I don't believe there is anyone left that can or wants to build a house in Sidney.

Response: *Over 100 individual homeowners have applied for and received funding for home rehabilitation, repair, and/or elevation.*

During the NY Rising Community Reconstruction planning process, Village participants advocated for construction of new, affordable and flood-safe housing within the Village. As a result of the planning process, the Village of Sidney identified and analyzed several properties within the Village to develop single and multi-family housing. This proposed project is one part of a multi-faceted program to mitigate the harmful impacts of riverine flooding in the Village of Sidney.

The Village's NY Rising Community Reconstruction allocation is being used for a myriad of projects, including, installation of roads, water, and sewer infrastructure, purchase of developable property, and as matching funds to conduct studies leading to development of economic and green-plain development activities. The activities are all contained within the NYRCR Plan, approved by the Village of Sidney in 2014.

Comment- Page 6, para 2, Existing Conditions and Trends – what is the current 2017 approximate population, number of occupied houses, number of houses for sale (I believe over 90 outside of flooded area for sale)? Current unemployment rate, poverty rate?

Response: *The data provided in the NEPA ERR is the most currently available US Census data for the Village of Sidney. Census data is used because it is available and comparable across geographic areas (e.g. Town, Village, County, and State data for demographic and economic characteristics are available for the same time period). It is accepted by numerous federal, state, and local agencies as a tested, verified, and reliable source of this information. This avoids the use of numbers from other sources that may conflict with each other.*

Comment- Page 7 Funding Information – this need to be explained to the public in more detail, this is very vague information. I mean current information, up to date.

Response:

Estimated Total HUD Funded Amount: \$6,750,000 from CDBG-DR and \$600,000 from CDBG

Estimated Total HUD Funding: \$7,350,000

CDBG-DR funding to Lakewood Development II LLC for SPARC program multi-family housing: \$3,750,000

CDBG-DR funding to the Village of Sidney for infrastructure extension: \$2,700,000

CDBG-DR funding to Delaware County for property acquisition: \$300,000

CDBG funding to Village of Sidney from NYSHCR Office of Community Renewal for additional infrastructure improvements: \$600,000

Estimated Total Project Cost (HUD and non-HUD funds) [24 CFR 58.32(d)]: \$8,150,000

HUD funding: \$7,350,000

NYS Affordable Housing Corporation: \$800,000

Comment- Page 8 Project area, - this is too close to the wetlands and wildlife. Just this morning I had 5 of the large number of deer on my back lawn, then they passed thru to the very busy County Rte 4 in front of my home and were almost hit by a vehicle. How can you justify a road to be constructed on the St Lukes property behind my house and County Rte 4 in front of my house and let the animals try to survive all of this traffic. The deer, bear, raccoons, skunks, rabbits, squirrels, fox, coyotes etc. do not have a chance to live.

Response: *The project is not anticipated to impact wetlands and project activities will occur outside of the 100-foot wetland buffer. Once the construction and grading plans are finalized, the potential for impacts will be re-evaluated and, if necessary, a joint permit application will be submitted to the USACE and the NYSDEC for review and approval.*

The access road for the project will be developed as neighborhood street, and as such, will be subject to a limited speed limit set by the Village for other residential streets.

Comment- Page 18 Radon – the project site has the highest level of Radon, this will be costly and the developer will incur costs for future testing/containment. When this affects my home directly, is GOSR going to install equipment in my home to protect me from these high levels of Radon being released/disturbed?

Response: *The project will utilize radon mitigation measures recommended for projects located in EPA radon zones 1 and 2. The project homes will include a “passive” soil depressurization system incorporated into each building, designed in accordance with EPA "Model Standards and Techniques for Control of Radon in new residential single and multi-family Buildings," EPA 402-*

R-94-009, March 1994 or ASTM 1465-08a Standard Practice for Radon Control Options for the Design and Construction of New Low-Rise Residential Buildings.

Radon testing is to be conducted in each building when construction is complete. A third-party air-monitoring contractor must complete the final testing / clearance with certified results by an authorized testing laboratory. If radon testing indicates that the radon level exceeds the EPA action level, an active fan, complete with alarm system, will be installed and the building will be retested, prior to occupancy, to determine that radon levels are being maintained below recommended limits. If construction is phased, then test results must be forwarded to GOSR prior to occupancy of each building.

The migration of radon gas into a home is predominated from the differences in air pressure between the inside of a building and the soil around. If the air pressure of a house is greater than the soil beneath it, radon will remain outside. However, if the air pressure of a house is lower than the surrounding soil (which is usually the case), the house will act as a vacuum, sucking radon gas inside. This is the major sources of radon gas in a home, not the presence of nearby structures.

There are many other variables that control the presence of radon gas in structures including cracks and openings in the foundation which are the major contributors to increases in radon gases in a structure. Other variables include temperature changes or seasonal changes in concentrations and barometric pressure.

GOSR recommends that homes and other occupied structures within high radon zones have their homes tested for radon to ensure the safety of the occupants.

Comment- Page 19 – PCB's - We need to see a thorough evaluation of this. All property sites.

Response: *No suspected PCB containing equipment has been located on any of the Project parcels. The Phase I ESA report covered the church property, the Patterson parcel and the Martin parcel, and the Phase I ESA Addendum covered the sliver of land to be acquired from the VFW. Three alternative sites are under consideration for location of a water booster pump. All of the project parcels are vacant. There was some scattered wood and concrete debris observed on the Patterson parcel. In the unlikely event that possible PCB- containing materials are found on any of the project parcels, it will be disposed of in accordance with all applicable rules and regulations.*

Comment- Page 20 – Endangered species – we need to see current information on this.

Response: *The most current US Fish and Wildlife Service (USFWS) threatened and endangered species list and northern long-eared bat roost trees and hibernacula geospatial data available at the time the consultation letters were submitted was used to identify potential species of concern in the project area. These lists are updated when new species are added, removed, or had a status change, and are checked regularly to ensure that the information has not changed. The list was checked on October 20, 2017 and showed that there are no changes in the listed species. The results of consultation with USFWS are detailed in the Endangered Species section of the EA and Appendix D, USFWS and the DEC's NY Natural Heritage Program (NYNHP) correspondence. In response to each consultation (November 2016 and May 2017), the USFWS concurred with GOSR's determination that the project may affect, but is not likely*

to adversely affect, the federally-listed threatened Northern long-eared bat and acknowledged the determination that the project will result in no effect to the federally-listed endangered dwarf wedgemussel. USFWS is precluded from a total no effect determination due to the removal of trees. The NYNHP responded on June 1, 2017 that it has no records of rare or state-listed animals or plants or significant natural communities at the expanded project area.

Comment- Page 21 – this site “may” affect long eared bats. We need more data on accurate, current studies of this.

Response: *The most current US Fish and Wildlife Service (USFWS) threatened and endangered species list and northern long-eared bat roost trees and hibernacula geospatial data available at the time the consultation letters were submitted was used to identify potential species of concern in the project area. Section 4(d) of the Endangered Species Act directs USFWS to issue regulations deemed “necessary and advisable to provide for the conservation of threatened species.” It allows the Service to promulgate special rules for species listed as threatened (not endangered) that provide flexibility in implementing the Endangered Species Act. This targeted approach can reduce ESA conflicts by allowing some activities that do not harm the species to continue, while focusing efforts on the threats that make a difference to the species’ recovery. The NYNHP responded stated that it has no records of rare or state-listed animals or plants or significant natural communities in the project area. Please refer to the Environmental Assessment, Appendix A (Figures) for the documented location of hibernacula closest to the project area.*

Comment- Page 22- Explosive and Flammable Hazards – Above ground storage ...I have a 500-gallon propane tank and will be increasing the size/amounts to accommodate heating for my inground pool. I directly border the St Lukes property.

Response: *Thank you for the notification about your tank. Acceptable Separation Distance (ASD) calculations using HUD’s electronic Acceptable Separation Distance Assessment Tool indicate that the ASD for Thermal Radiation for People would be 207.2 feet and the ASD for Thermal Radiation for Buildings would be 36.5 feet. The ASD is measured from the center of the assessed container to the perimeter of the proposed HUD–assisted project site. Because the project site is approximately 140 feet away, mitigation will be incorporated into project design. In addition, the EA will be amended to include this information.*

Comment-Page 23 – Farmland protection, is this farmland just going to be destroyed, we need to see your score assessment.

Response: *The project site is not active farmland. In compliance with the Farmland Protection Policy Act of 1981 (FPPA), Parts I and III of the Farmland Conversion Impact Rating Form and Project maps were submitted to the NRCS on December 8, 2016 and resubmitted on June 7, 2017 for determination of whether any part of the Project site is farmland subject to the FPPA. On June 12, 2017, NRCS responded, having filled out Parts IV and V of the Farmland*

*Conversion Impact Rating Form and requesting that GOSR complete Parts VI and VII to compute the site assessment score. Based on 7 CFR Part 658.4, sites with a score of less than 160 receive a minimal level of consideration for protection, and no additional evaluation is required. GOSR completed the form, the site assessment score, and made the determination that the proposed Project will not violate the FPPA. The Project scored 65.3. GOSR responded to NRCS that, as such, the Project will not violate the FPPA. **See** attached score sheet.*

Comment- Page 24,25,26,27,28 – Historic preservation- this is a huge issue, artifacts found are relevant to this area. We need to see your future Phase 1B complete results to critique. The Delaware Tribe as well as other tribes (Haudenosaunee Six Nations) have a well-known large presence in this area of proposed building sites. Do you just identify and then ignore historical sites in the immediate area.

Response: *GOSR has consulted with both the NYS Office of Parks, Recreation and Historic Preservation (SHPO) and interested tribes on the proposed project. In a January 30, 2017, letter, SHPO stated it had reviewed the Phase I Archaeological Investigation of the proposed project and concluded that it is SHPO's opinion that no additional archaeological work is necessary. In a letter dated May 24, 2017, SHPO stated that the proposed undertaking will have No Adverse Effect to Historic Properties listed in or eligible for inclusion in the State or National Register of Historic Places, with the following conditions:*

- 1. GOSR will provide drawings of the houses to be built near and within the viewshed of St Luke's Evangelical Lutheran Church, at 139 West Main St, which is eligible for the National Register, for the SHPO's review; or*
- 2. Plant trees and/ or bushes between the church and the first three buildings, on the Suffolk St/ Circle Drive end of the proposed road. Please refer to Appendix F of the Environmental Assessment, SHPO Correspondence.*

*On June 12, 2017, in correspondence with the Delaware Tribe, GOSR respond that at the request of the Delaware Tribe, a Phase 1B Archaeological Field Survey, including sub-surface testing, will be conducted on the parcel subject to the 2007 Phase I Archaeological Survey, and owned by St. Luke's Lutheran Church, prior to Project construction. GOSR committed to share survey results with the Delaware Tribe and that GOSR will consult with the Tribe on additional steps or further investigation as needed. On June 13, 2017, the Delaware Tribe responded this is acceptable and that they have no objection to the proposed work, while reserving the right to revoke the original comments after the survey is complete The Phase 1B Survey was conducted by archeologists from Tectonic Engineering on August 10, 2017. No additional cultural resources were recovered. **See** attached Phase 1B Field Survey.*

We need to see up-to-date drawings of roads, curbing, parking, apartment complexes, infrastructure. I don't see where the Village has approved any application or site plan reviews? This is a completely single family home area.

Response: *Site plans have not yet been finalized. All plans must be reviewed and approved by the Village of Sidney. The Village Planning Board will conduct Site Plan review and Subdivision review.*

Comment- Page 29 – Noise Abatement- I cannot see any evidence that I will not be directly affected by the “combination” of noise levels at my home from I-88, County Rte4 and now a proposed large road directly abutting my property. Wow how would you like to live with the noise level of being surrounded in an island of 3 major roads. You really need to prove this one to me!!!!

Response: *The access road for the proposed project will be a residential street, not a major road and would not contribute the level of traffic and noise that I-88, County Rte 4. It will bisect the proposed project site and will not abut your property. The traffic volume that would be generated by the residences using this driveway-type of residential entrance would not be perceptible above the ambient noise levels contributed by I-88, County Rte. 4. As a point of reference, a road is considered a major road if the Annual Average Daily Traffic (AADT) is greater than or equal to 10,000 vehicles. The perceived noise estimated from I-88 was noise was calculated to be 64.7 decibels Day/Night Noise Level, which is considered an acceptable level by HUD and in general by local governments. No noise-specific ordinance was identified for the Village of Sidney.*

Comment- Page 30 – Sole Source Aquifers, please provide 2017 studies on this, wells in area, underground waterways. Are you aware of the underground water source that flows from the upperpart of the golf course thru the front of my yard to the back of my yard next to my foundation and my inground pool. You need to evaluate the effect on this water source, the direction of this and how any disruption of this will ruin my foundation and inground pool. This will be unbelievably costly and I will not be responsible for damages due to any ignorance from water issues that are ignored by your agency. My town property is not going to be ruined by water issues.

Response: *The proposed project is not located over an EPA designated Sole Source Aquifer. The proposed project will not dig or tap into wells; it will hook into the existing water system. Water resources will not adversely impacted. The Village of Sidney Water Department has determined that it has the capacity to adequately service the proposed project. The Water*

Department supplies and operates the water system in Sidney. Water for the Village of Sidney is supplied by two wells. The Village also has two upland reservoir systems as standby storage with capacities of 86 million and 45 million gallons. These reservoirs are currently not in use but are available for backup if needed. The primary water supply well was developed in 1988 and pumps at a rate of 780-800 gallons per minute. The Village of Sidney has one potable water storage tank with a storage capacity of 2 million gallons.

The project engineer recently carried out a groundwater investigation. The investigation revealed that groundwater is not present on the site to a depth of at least 7 feet on any of the properties involved in the project. Rather, the presence of “groundwater” observed on the site is the result of drainage from areas elevated above the project properties, which would be addressed by the stormwater drainage infrastructure being designed for the site.

Comment- Wetlands Protection – the wetlands will be affected by this development. So we now will have the Town area ruined as well. Ruin the whole area outside the Village and see who wants ever live here anyways. Really disturbing what lengths your agency will go to.

Response: *The project site is located near NYS DEC Freshwater Wetland SD-5, Class 1, also defined as R4SBC on the NWI maps. A January 13, 2017, wetland assessment and delineation report identified a portion of the NYSDEC jurisdictional wetland SD-5 within the proposed project site. The delineated line crosses the southeast corner of the project site. Therefore, a portion of the southeast corner of the project site is within its 100-foot regulated adjacent area. However, project area disturbance is being designed well outside of the 100 foot buffer of this wetland. Once site plans and grading plans are finalized, the potential for impacts will be re-evaluated and, if necessary, a joint permit application would be submitted to USACE and NYSDEC for review and approval. See **attached** wetland figures.*

In accordance with 24 CFR Part 55, Floodplain Management and Protection of Wetlands, a 5-step wetland analysis was completed for the Project to identify potential impacts to the riverine and freshwater forested/shrub wetlands, along with the stream and wetlands identified by NYSDEC and methods to minimize the potential adverse impacts in a wetland. The analysis concluded that the Project will not alter the survival or quality of the wetlands.

Comment- Page 34 thru 42 – your impact codes are hilarious for these pages, I totally disagree with all of these pages and want to see backup for all of this. I have carefully studied all of this and you need to show me proof.

What about these issues that will directly affect me and my neighbors.

1. I am in the town and will be completely placed in an island surrounded by village projects, 3 major roads, water disruption on my land, stormwater pollution, environmental damage and disruption, dangerous traffic to the children near the school and the crowds of people attending the school activities at the football field, softball fields and soccer. Huge traffic and safety concerns. Where is the study on traffic flow and real effects?

Response: *An “island” will not be created because the parcels to be annexed from the Town will be for single-family residences, which is compatible with the surrounding areas in the Village and the Town.*

The access road for the proposed project will be a residential street, not a major road. As a point of reference, a road is considered a major road if the Annual Average Daily Traffic (AADT) is greater than or equal to 10,000 vehicles.

The analysis of impacts in the NEPA ERR is supported by the sources listed at the end of each resource section and detailed in the section titled “List of Sources, Agencies and Persons Consulted” and the consultations and mapping provided in the appendices.

2. Our Community does not want R3 zoning in our R1 zoned area. The expense for this is not practical for our village. Homeowners needed funds for elevation and to repair their homes. Now they have left in droves and our financially ruined. Houses abandoned in ruins.

Response: *Rezoning is a municipal issue and will be undertaken by the Village of Sidney. The Village intends to rezone the St. Luke’s Lutheran Church parcel from R-1 to R-2. It will not be zoned R-3. The Village held public hearings on the proposed zoning change on August 14, 2017 and on September 11, 2017 to allow the community the opportunity to comment.*

The Village has secured state and federal funding to purchase 127 and elevate 7 at-risk homes in the most severely impacted part of the community and to provide support for homebuyers to rehabilitate available housing stock outside of the floodplain

3. This cluster type environment is not suitable in single family owned home areas. There are many other areas in the village that have been totally ignored for this type of project. Do you realize that there are many multiple housing units for sale because they do not have enough tenants? For some time now, we have seen an influx of people that eventually just moved on to other towns because of lack of employment for various reasons. New tenants do not stay long in this area, a lot of moving in and right back out

Response: *The proposed sites were selected after a process that involved feasibility and cost-effectiveness of different options:*

- *The first option studied by the community was a multi-acre plot along Plankenhorn Road. This option was rejected due to the cost of extending water and sewer infrastructure necessary to serve the new development. The extension of infrastructure would have exceeded the Village's available funding and not allowed for the development of housing.*
- *The second option studied by the community was an area adjacent to the Sidney Country Club. This option was rejected due to the size of the parcel and accessibility of the development by emergency personnel*
- *The third option studied by the community is the current site to be developed. This option was selected for its proximity to current streets, accessibility for emergency vehicles, space for the development of housing and infrastructure, and its proximity to existing infrastructure, for cost-effectiveness of connections.*

4. Lighting, noise at all hours, zoning issues, could this just be all about the developers and land owners making money and not even considering the neighborhood objection, the real people "HUMANS" that live here.

Response: *The Circle Drive neighborhood will be subject to the laws and ordinances of the Village of Sidney, including all those related to lighting and noise. The physical design of the neighborhood will incorporate the most current forms of lighting and other utilities that minimize energy consumption and light pollution. As stated in the NEPA ERR, construction activities will take place during normal working hours and will employ commonly accepted engineering and administrative controls that will minimize noise impacts to neighbors. The Village of Sidney held a public hearing on the proposed zoning change on August 14, 2017 and again on September 11, 2017. Members of the public will have several additional opportunities to offer comment. There will be a public hearing regarding the annexation as well as a public hearing regarding the subdivision application.*

5. Don't forget that the Delaware Tribe has asked for a Phase 1b Archeological Study. This needs to be done with respect to them, not rushed through like they do not matter. This is a relatively high historical area. Do we just get trampled on with no recourse?

Response: *On June 12, 2017, in correspondence with the Delaware Tribe, GOSR committed to conducting a Phase 1B Archaeological Field Survey, including sub-surface testing, to be conducted on the parcel subject to the 2007 Phase I Archaeological Survey, and owned by St. Luke's Lutheran Church. GOSR agreed to share survey results with the Delaware Tribe and to consult with the Tribe on additional steps or further investigation, as needed. On June 13, 2017, the Delaware Tribe responded this is acceptable and that they have no objection to the proposed work, while reserving the right to revoke the original comments after the survey is complete. (See **Appendix G** of the EA, Tribal Correspondence.) The Phase 1B Survey was conducted on August 10, 2017 by an archaeologist with Tectonic Engineering. No additional cultural resources or artifacts were recovered. The report was*

submitted to the Delaware Tribe on September 12, 2017.

GOSR has also consulted with the NYS Office of Parks, Recreation and Historic Preservation (SHPO). In a January 30, 2017, letter, SHPO stated it had reviewed the Phase I Archaeological Investigation of the proposed project and concluded that it is SHPO's opinion that no additional archaeological work is necessary. In a letter dated May 24, 2017, SHPO stated that the proposed undertaking will have No Adverse Effect to Historic Properties listed in or eligible for inclusion in the State or National Register of Historic Places, with the following conditions:

- 1. GOSR will provide drawings of the houses to be built near and within the viewshed of St Luke's Evangelical Lutheran Church, at 139 West Main St, which is eligible for the National Register, for the SHPO's review; or*
- 2. Plant trees and/ or bushes between the church and the first three buildings, on the Suffolk St/ Circle Drive end of the proposed road. (See Appendix F, SHPO Correspondence).*

5. There are so many issues that need to be discussed. I believe this is just being pushed through with no consideration to the real issues and concerns of the people.

Response: *Comment noted. GOSR's environmental review of the proposed project is for the purposes of obtaining the release of grant funds; it is not a final decision making document. Final decisions and approvals for the proposed project are the responsibility of the Village of Sidney. We recommend that you continue to share your comments and concerns with Village officials and Board members.*

Thank you.

Farmland Conversion Scoresheet

Cc: Shirley, Lori (NYSHCR) <Lori.Shirley@nyshcr.org>; Gievers, Andrea <AGievers@tectonicengineering.com>; Duncan, Kathryn - NRCS, Syracuse, NY <kathryn.duncan@ny.usda.gov>

Subject: FW: CDBG-DR project Farmland Protection Consultation: Sidney- Circle Drive Neighborhood Development

Alicia,

Thank you for your request. You can feel free to send all future requests for FPPA, CPA-106 to me at cathy.crotty@ny.usda.gov.

Katie Duncan will be processing your request and will reply to you when completed or with questions.

Cathy Crotty

Cathy Crotty | GIS Coordinator | NY USDA-NRCS | 441 S. Salina St., Suite 354, Syracuse, NY 13202 | 315.477.6525 | Cathy.Crotty@ny.usda.gov

From: Shultz, Alicia (NYSHCR) [<mailto:Alicia.Shultz@nyshcr.org>]

Sent: Wednesday, June 07, 2017 11:57 AM

To: Crotty, Cathy - NRCS, Syracuse, NY <cathy.crotty@ny.usda.gov>

Cc: Shirley, Lori (NYSHCR) <Lori.Shirley@nyshcr.org>; Gievers, Andrea <AGievers@tectonicengineering.com>

Subject: CDBG-DR project Farmland Protection Consultation: Sidney- Circle Drive Neighborhood Development

Dear Ms. Crotty,

The Governor's Office of Storm Recovery (GOSR), an office of New York State Homes and Community Renewal's (HCR) Housing Trust Fund Corporation (HTFC), on behalf of the Department of Housing & Urban Development (HUD), is currently preparing an Environmental Assessment (EA) for the Circle Drive Neighborhood Development project in the Village of Sidney in Delaware County, NY. GOSR is acting as HUD's non-federal representative for the purposes of conducting consultation pursuant to the Farmland Protection Policy Act (FPPA). The proposed project includes acquisition of three properties; construction of 22 Single family homes and 10 two-family unit townhomes; and design and construction of roads, water, sewer and stormwater infrastructure from existing village connections to service the project. The project would disturb approximately 9.18 acres of undeveloped land on portions of three Delaware County, New York.

The purpose of the letter is to provide the Natural Resources Conservation Service (NRCS) notice of the proposed project and to document FPPA compliance. The soils on the parcel are shown as prime farmland and farmland of statewide importance. Please find attached the Form AD-1006 for your review and use.

Thanks for your help.

Alicia Shultz

Senior Environmental Scientist

New York State Homes & Community Renewal

38-40 State St., 408N, Hampton Plaza, Albany, NY 12207

(518) 474-0647 | cell (917) 376-9003 Alicia.Shultz@nyshcr.org |

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Governor's Office of Storm Recovery

ANDREW M. CUOMO
Governor

LISA BOVA-HIATT
Executive Director

By Electronic Mail

December 8, 2016

Anthony Capraro
District Conservationist
Walton Service Center
U.S. Department of Agriculture, Natural Resources Conservation Service
44 West Street
Walton, NY 13856-1041
anthony.capraro@ny.usda.gov

Re: U.S. Department of Agriculture Farmland Conversion Impact Rating, Circle Drive Neighborhood Development, Village of Sidney, Delaware County, New York

Dear Mr. Capraro:

The Governor's Office of Storm Recovery (GOSR), acting under the auspices of New York State Homes and Community Renewal's (HCR) Housing Trust Fund Corporation (HTFC), on behalf of the Department of Housing & Urban Development (HUD), is conducting an environmental review under HUD's environmental review regulations (24 CFR Part 58) and New York State's Environmental Quality Review Act (SEQRA) for the Sidney Circle Drive Neighborhood Housing and Infrastructure project, located in the Village of Sidney, Delaware County, New York (see **Figures 1 and 2**). GOSR is acting as HUD's non-federal representative for the purposes of conducting consultation pursuant to the Farmland Protection Policy Act (FPPA). The proposed project includes acquisition of three properties; construction of 22 Single family homes and 10 two-family unit townhomes; and design and construction of roads, water, sewer and stormwater infrastructure from existing village connections to service the project (see attached **Preliminary Site Plan**). The project would disturb approximately 9.18 acres of undeveloped land on portions of three Delaware County, New York, parcels (Parcel numbers 138-2-7.12 [5.4 acres], 138-2-8 [0.8 acres], and 138-2-14.22 [5.5 acres]).

The purpose of this letter is to provide the Natural Resources Conservation Service (NRCS) notice of the proposed project and to document FPPA compliance. The soils on the parcel are shown as farmland of statewide importance (See **Figure 3**). Please find attached the Form AD-1066 for your review and use.

If you have questions or require additional information regarding this request, please contact me at (518) 474-0755) or Lori.Shirley@nyshcr.org. Thank you for your time and consideration.

Sincerely,

A handwritten signature in blue ink that reads "Lori A. Shirley".

Lori A. Shirley
Certifying Officer
Governor's Office of Storm Recovery
NYS Homes and Community Renewal

Attachments:

Form AD-1006

Figure 1: Project Location Map

Figure 2: Project Area Map

Figure 3: Protected Soils Map

Preliminary Site Plan with draft infrastructure pathway

FARMLAND CONVERSION IMPACT RATING

PART I (To be completed by Federal Agency)		Date Of Land Evaluation Request			
Name of Project		Federal Agency Involved			
Proposed Land Use		County and State			
PART II (To be completed by NRCS)		Date Request Received By NRCS		Person Completing Form:	
Does the site contain Prime, Unique, Statewide or Local Important Farmland? (If no, the FPPA does not apply - do not complete additional parts of this form)		YES <input type="checkbox"/>	NO <input type="checkbox"/>	Acres Irrigated	Average Farm Size
Major Crop(s)	Farmable Land In Govt. Jurisdiction Acres: %		Amount of Farmland As Defined in FPPA Acres: %		
Name of Land Evaluation System Used	Name of State or Local Site Assessment System		Date Land Evaluation Returned by NRCS		
PART III (To be completed by Federal Agency)		Alternative Site Rating			
		Site A	Site B	Site C	Site D
A. Total Acres To Be Converted Directly					
B. Total Acres To Be Converted Indirectly					
C. Total Acres In Site					
PART IV (To be completed by NRCS) Land Evaluation Information					
A. Total Acres Prime And Unique Farmland					
B. Total Acres Statewide Important or Local Important Farmland					
C. Percentage Of Farmland in County Or Local Govt. Unit To Be Converted					
D. Percentage Of Farmland in Govt. Jurisdiction With Same Or Higher Relative Value					
PART V (To be completed by NRCS) Land Evaluation Criterion Relative Value of Farmland To Be Converted (Scale of 0 to 100 Points)					
PART VI (To be completed by Federal Agency) Site Assessment Criteria (Criteria are explained in 7 CFR 658.5 b. For Corridor project use form NRCS-CPA-106)		Maximum Points	Site A	Site B	Site C
1. Area In Non-urban Use		(15)			
2. Perimeter In Non-urban Use		(10)			
3. Percent Of Site Being Farmed		(20)			
4. Protection Provided By State and Local Government		(20)			
5. Distance From Urban Built-up Area		(15)			
6. Distance To Urban Support Services		(15)			
7. Size Of Present Farm Unit Compared To Average		(10)			
8. Creation Of Non-farmable Farmland		(10)			
9. Availability Of Farm Support Services		(5)			
10. On-Farm Investments		(20)			
11. Effects Of Conversion On Farm Support Services		(10)			
12. Compatibility With Existing Agricultural Use		(10)			
TOTAL SITE ASSESSMENT POINTS		160			
PART VII (To be completed by Federal Agency)					
Relative Value Of Farmland (From Part V)		100			
Total Site Assessment (From Part VI above or local site assessment)		160			
TOTAL POINTS (Total of above 2 lines)		260			
Site Selected:	Date Of Selection	Was A Local Site Assessment Used? YES <input type="checkbox"/> NO <input type="checkbox"/>			
Reason For Selection:					
Name of Federal agency representative completing this form:					Date:

(See Instructions on reverse side)

Form AD-1006 (03-02)

STEPS IN THE PROCESSING THE FARMLAND AND CONVERSION IMPACT RATING FORM

- Step 1 - Federal agencies (or Federally funded projects) involved in proposed projects that may convert farmland, as defined in the Farmland Protection Policy Act (FPPA) to nonagricultural uses, will initially complete Parts I and III of the form. For Corridor type projects, the Federal agency shall use form NRCS-CPA-106 in place of form AD-1006. The Land Evaluation and Site Assessment (LESA) process may also be accessed by visiting the FPPA website, <http://fppa.nrcs.usda.gov/lesa/>.
- Step 2 - Originator (Federal Agency) will send one original copy of the form together with appropriate scaled maps indicating location(s) of project site(s), to the Natural Resources Conservation Service (NRCS) local Field Office or USDA Service Center and retain a copy for their files. (NRCS has offices in most counties in the U.S. The USDA Office Information Locator may be found at http://offices.usda.gov/scripts/ndISAPI.dll/oip_public/USA_map, or the offices can usually be found in the Phone Book under U.S. Government, Department of Agriculture. A list of field offices is available from the NRCS State Conservationist and State Office in each State.)
- Step 3 - NRCS will, within 10 working days after receipt of the completed form, make a determination as to whether the site(s) of the proposed project contains prime, unique, statewide or local important farmland. (When a site visit or land evaluation system design is needed, NRCS will respond within 30 working days.
- Step 4 - For sites where farmland covered by the FPPA will be converted by the proposed project, NRCS will complete Parts II, IV and V of the form.
- Step 5 - NRCS will return the original copy of the form to the Federal agency involved in the project, and retain a file copy for NRCS records.
- Step 6 - The Federal agency involved in the proposed project will complete Parts VI and VII of the form and return the form with the final selected site to the servicing NRCS office.
- Step 7 - The Federal agency providing financial or technical assistance to the proposed project will make a determination as to whether the proposed conversion is consistent with the FPPA.

INSTRUCTIONS FOR COMPLETING THE FARMLAND CONVERSION IMPACT RATING FORM

(For Federal Agency)

Part I: When completing the "County and State" questions, list all the local governments that are responsible for local land use controls where site(s) are to be evaluated.

Part III: When completing item B (Total Acres To Be Converted Indirectly), include the following:

1. Acres not being directly converted but that would no longer be capable of being farmed after the conversion, because the conversion would restrict access to them or other major change in the ability to use the land for agriculture.
2. Acres planned to receive services from an infrastructure project as indicated in the project justification (e.g. highways, utilities planned build out capacity) that will cause a direct conversion.

Part VI: Do not complete Part VI using the standard format if a State or Local site assessment is used. With local and NRCS assistance, use the local Land Evaluation and Site Assessment (LESA).

1. Assign the maximum points for each site assessment criterion as shown in § 658.5(b) of CFR. In cases of corridor-type project such as transportation, power line and flood control, criteria #5 and #6 will not apply and will, be weighted zero, however, criterion #8 will be weighed a maximum of 25 points and criterion #11 a maximum of 25 points.
2. Federal agencies may assign relative weights among the 12 site assessment criteria other than those shown on the FPPA rule after submitting individual agency FPPA policy for review and comment to NRCS. In all cases where other weights are assigned, relative adjustments must be made to maintain the maximum total points at 160. For project sites where the total points equal or exceed 160, consider alternative actions, as appropriate, that could reduce adverse impacts (e.g. Alternative Sites, Modifications or Mitigation).

Part VII: In computing the "Total Site Assessment Points" where a State or local site assessment is used and the total maximum number of points is other than 160, convert the site assessment points to a base of 160.

Example: if the Site Assessment maximum is 200 points, and the alternative Site "A" is rated 180 points:

$\frac{\text{Total points assigned Site A}}{\text{Maximum points possible}} = \frac{180}{200} \times 160 = 144 \text{ points for Site A}$

For assistance in completing this form or FPPA process, contact the local NRCS Field Office or USDA Service Center.

NRCS employees, consult the FPPA Manual and/or policy for additional instructions to complete the AD-1006 form.

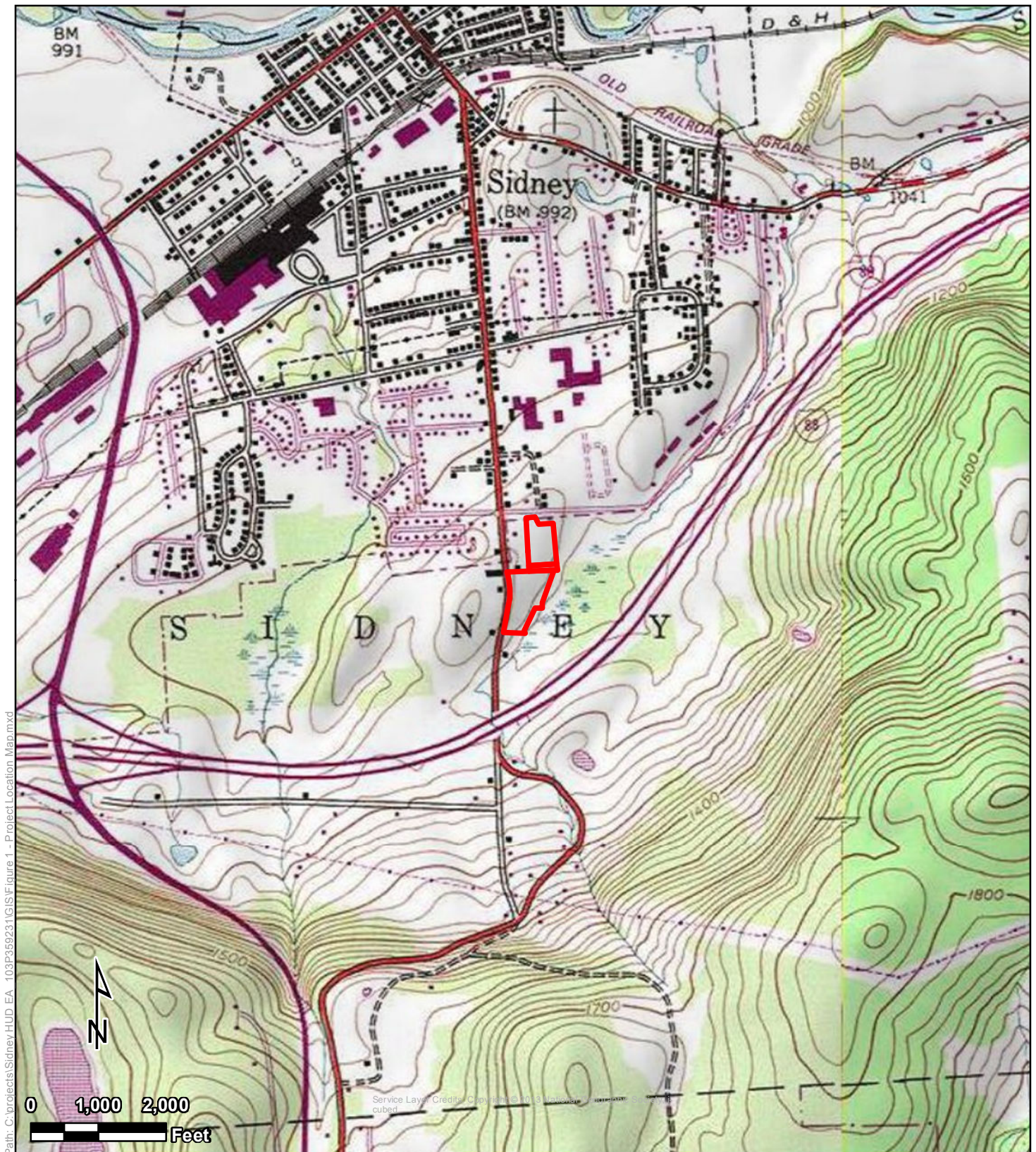


Figure 1

Project Location Map

Sidney Circle Drive Neighborhood
Housing and Infrastructure
West Main Street
Village of Sidney
Delaware County, New York

Legend

Project Area



Tetra Tech, Inc

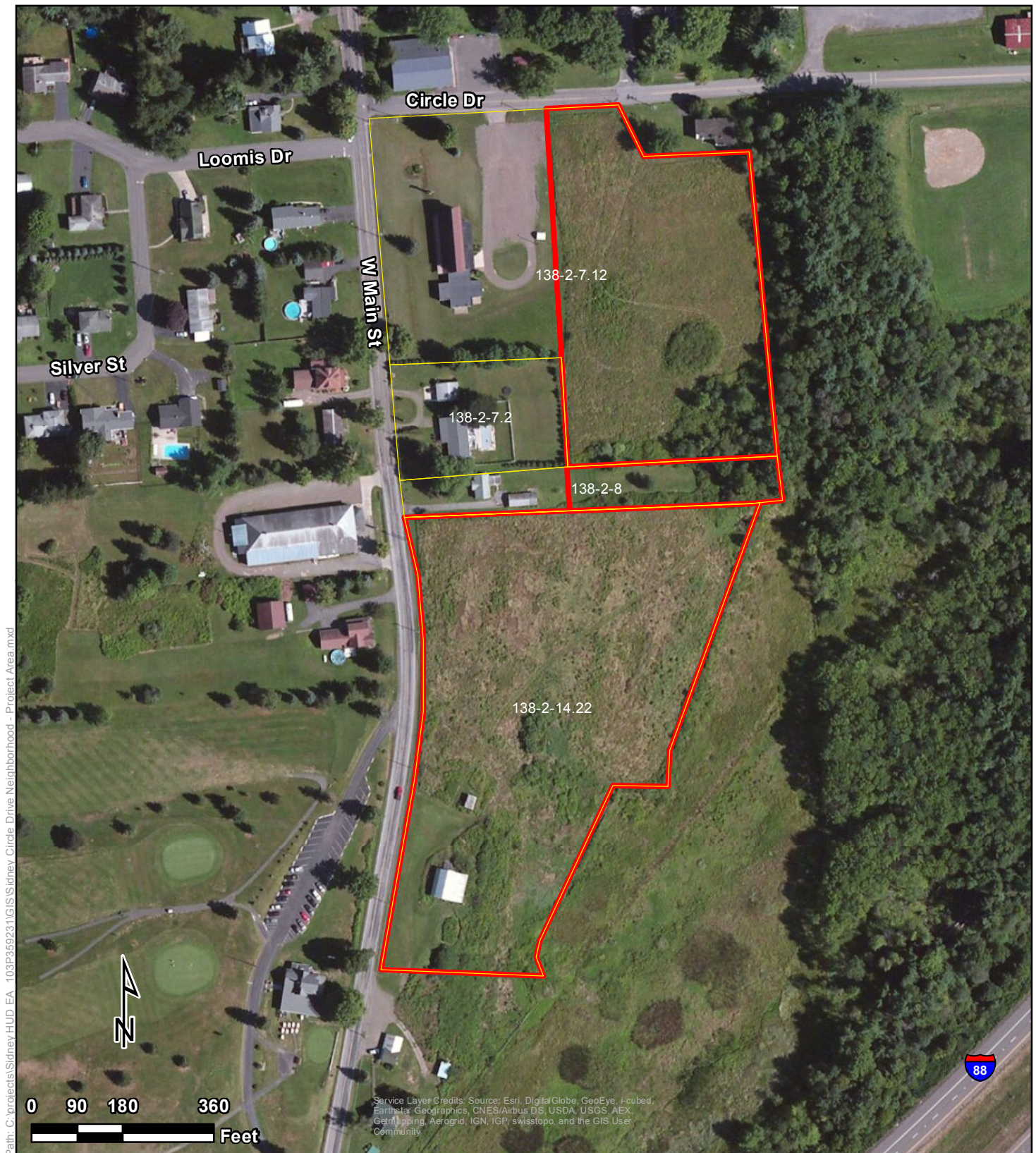


Figure 2

Project Area Map

Sidney Circle Drive Neighborhood
Housing and Infrastructure
West Main Street
Village of Sidney
Delaware County, New York

Legend

- Project Area
- Project Area Parcels



Tetra Tech, Inc

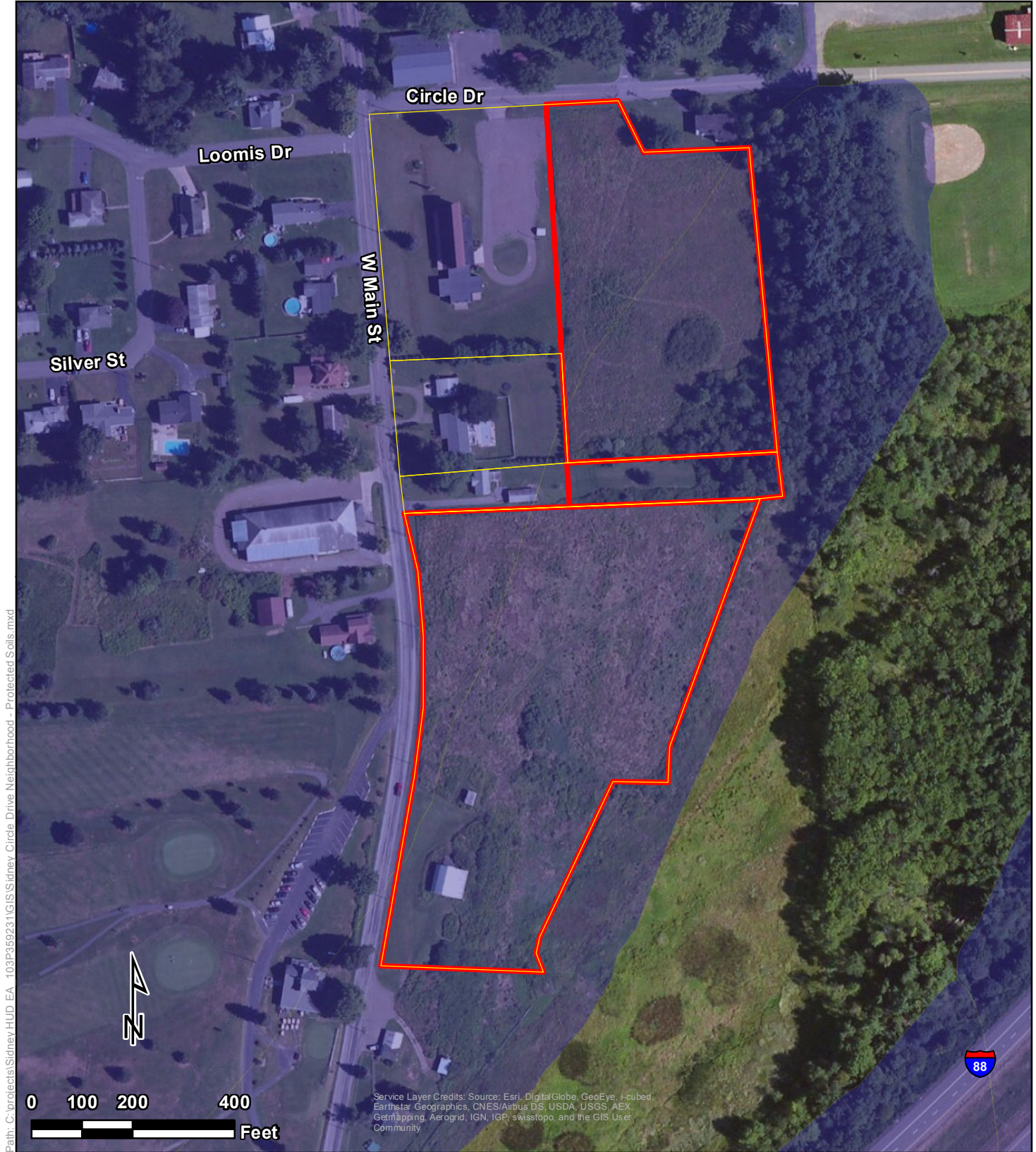


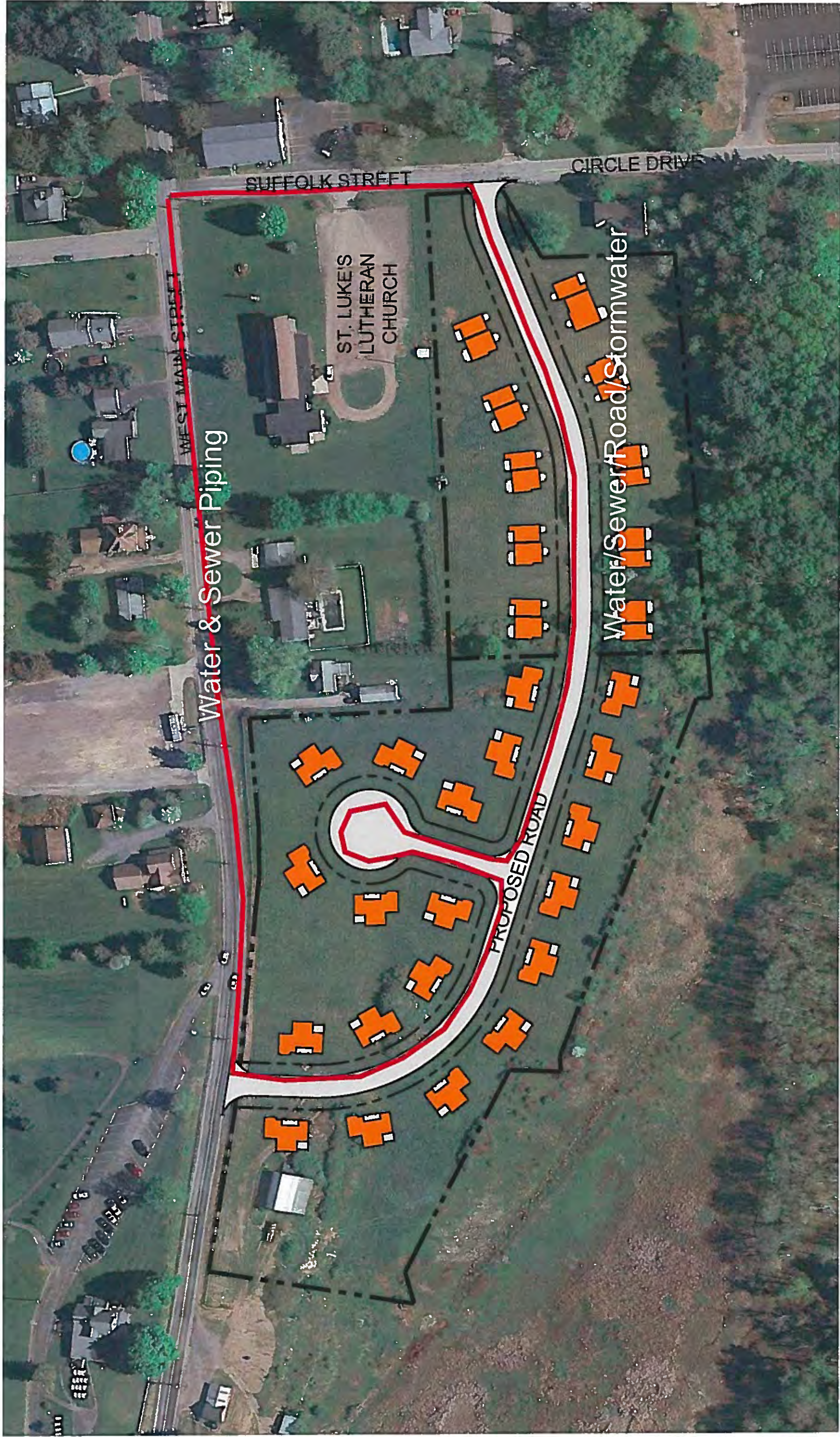
Figure 3

Legend

- Project Area
- Project Area Parcels
- All areas are prime farmland
- Farmland of statewide importance
- Prime farmland if drained

Protected Soils Map

Sidney Circle Drive Neighborhood
Housing and Infrastructure
West Main Street
Village of Sidney
Delaware County, New York



Supplemental Phase 1B Archaeological Testing

REPORT FOR SUPPLEMENTAL PHASE IB
ARCHAEOLOGICAL TESTING

**CIRCLE DRIVE NEIGHBORHOOD DEVELOPMENT
VILLAGE OF SIDNEY, DELAWARE COUNTY,
NEW YORK**

Prepared for:
THE GOVERNOR'S OFFICE OF STORM RECOVERY

Prepared by:
CHRISTINE DAVIS CONSULTANTS, INC.
&
TECTONIC ENGINEERING & SURVEYING CONSULTANTS P. C.

July 2017

CHRISTINE DAVIS CONSULTANTS, INC.
560 Penn Street, Verona, Pennsylvania 15147
Phone: 412/826-0443 Fax: 412/826-0458

REPORT FOR SUPPLEMENTAL PHASE IB
ARCHAEOLOGICAL TESTING

CIRCLE DRIVE NEIGHBORHOOD DEVELOPMENT
VILLAGE OF SIDNEY, DELAWARE COUNTY,
NEW YORK

BY:

A handwritten signature in black ink that reads "Christine Davis". The signature is written in a cursive, flowing style.

CHRISTINE E. DAVIS
Principal Investigator

For final submission to:

Lori Shirley, Director; Bureau of Environmental Review and Assessment
Governor's Office of Storm Recovery; New York Homes and Community Renewal
38-40 State Street; Albany, New York 12207

I. INTRODUCTION/PROJECT INFORMATION

The proposed undertaking is known as the Circle Neighborhood Drive Development project located in the Village of Sidney, Delaware County, New York (Figures 1 and 2). The project area is located along Circle Drive within the Village of Sidney in an open area east of St. Luke's Lutheran Church. The project area encompasses approximately 16,462 square (sq) meter (m) (177,198 sq feet (ft) or 4.1 acre (ac). The project is being conducted for the Governor's Office of Storm Recovery (GOSR).

The project is topographically situated on a gently sloping lower hill slope above a wetland and unnamed tributary stream head that flows into the Susquehanna River approximately one mile northeast of the project boundary. The area is characterized by mixed woodlands and an open field consisting of herb/shrub communities. Soils in the project area are mapped as Mardin channery silt loam (MdB and MdC) on slopes ranging from 3 to 8 percent (MdB) and 8 to 15 percent (MdC). Elevations range from 1,149 to 1,157 ft asl.

Lands within the project area were previously surveyed for archaeological resources as part of the Phase I Cultural Resource Survey for the Sidney Senior Housing Project (PR Number: 06PR6968) conducted in 2007 by the Public Archaeology Facility at Binghamton University (PAF). During that survey, 98 percent of the project area was tested with a total of 52 shovel test probes (STPs) at 15 m intervals. The remaining 2 percent of the project area was not tested due to the presence of slope greater than 15 percent and disturbance caused by the emplacement of buried utility lines.

As a result of the survey for the Sidney Senior Housing Project, one precontact site, Circle Drive (SUBi 2649), was documented. This site included one artifact: a utilized chert debitage/chunk. The utilized chert debitage/chunk was recovered from STP B7. In addition to the site, three small, potential chert flakes were recovered from one STP, STP E1. Eight additional close interval STPs were subsequently conducted around each positive STP, 4 STPs at 1 m intervals and 4 STPs 3 m intervals, for a total of 16 additional STPs. The additional testing did not yield any additional precontact artifacts (Figure 3). PAF determined that the site had limited research potential and should not be considered as eligible for the National Register. No further work was completed at that time; however, the Sidney Senior Housing Project was never constructed.

When plans were developed for the newly proposed undertaking known as the Circle Neighborhood Drive Development, GOSR submitted documentation regarding the new project to the Delaware Tribe of Indians. In a letter dated June 22, 2017, the Delaware Tribe of Indians requested additional Phase IB archaeological testing within the "Church Property" (Appendix I).

II. METHODOLOGY

Supplemental testing will be conducted with two sets of STPs at 7.5 m intervals in all amenable areas around the previously recorded Circle Drive Site (SUBi 2649) originally identified in STP B7. Supplemental testing will be conducted with one set of STPs at 7.5 m intervals in all amenable areas around the location where the three small, potential chert flakes were originally identified in STP E1. Assuming there are no positive STPs, a total of 19 supplemental STPs are proposed. All STPs will be excavated to undisturbed soil levels. Once sterile subsoil is reached, a minimum of 10 cm of additional subsoil will be excavated to confirm the natural stratigraphy of the horizon. If the supplemental Phase IB testing yields a positive test, additional testing will occur at 3 m and 1 m intervals around the positive STP. If the supplemental Phase IB testing does not yield a positive test in any direction, no further testing will be completed.

All subsurface tests will be numbered sequentially and soil profiles will be cleaned and documented by a pedological description. All hand excavated soils will be screened through quarter-inch hardware mesh and returned to original ground surface condition.

III. RESULTS

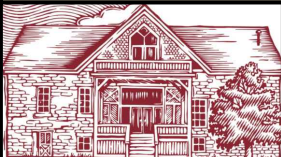
On August 15 and 16, 2017, supplemental Phase IB subsurface archaeological testing was conducted for the Circle Drive Neighborhood Development project. Soil profiles consisted of 20 to 30 cm of dark brown silt loam over fine orange sand. Some profiles consisted of 20 to 30 cm of dark brown silt loam over 2 to 3 cm of grey silt. The grey silt was underlain by fine orange sand.

In the area of the previously recorded Circle Drive Site (SUBi 2649), a total of 11 STPs were hand excavated at 7.5 m intervals (see Figure 3; Figure 4; Photos 1 to 4). The remaining 4 STPs that were proposed for this area could not be excavated due to the presence of slope greater than 15 percent and impenetrable brush. All 11 STPs were negative for culturally modified material; therefore, no further testing was completed.

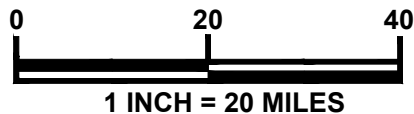
In the area where three small, potential chert flakes were found in STP E1, a total of 4 STPs were hand excavated at 7.5 m intervals (see Figure 3; Photos 5 and 6). All 4 STPs were negative for culturally modified materials; therefore, no further testing was completed.

IV. CONCLUSIONS

During the supplemental Phase IB archaeological testing of the Circle Drive Neighborhood Development project, there were no discoveries of human remains, funerary objects, sacred objects, or objects of cultural patrimony; therefore, no further archaeological survey is recommended.



Christine Davis Consultants
 Archaeology and History
 Cider Mill of Pittsburgh
 560 Penn Street
 Verona, PA 15147
 www.ChristineDavisConsultants.com
 412-826-0443

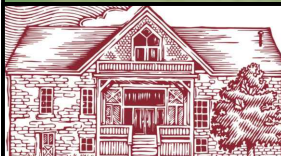


REFERENCES:
 USGS
 The National Atlas of the United States

PROJECT NO.
17-044

Project Location
CIRCLE DRIVE DEVELOPMENT
 Village of Sidney, Delaware County, New York

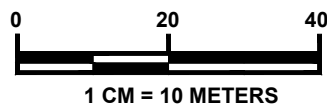
FIGURE 1



Christine Davis Consultants
 Archaeology and History
 Cider Mill of Pittsburgh
 560 Penn Street
 Verona, PA 15147
www.ChristineDavisConsultants.com
 412-826-0443

LEGEND

- APE
- POSITIVE PHI STP 15M
- NEGATIVE PHI STP 15M
- NEGATIVE PHI SHORT INTERVAL STP
- NEGATIVE STP 7.5M



Testing
CIRCLE DRIVE DEVELOPMENT
 Village of Sidney, Delaware County, New York

REFERENCES:

USGS EARTHSTAR
 GEOGRAPHICS
 Aerial Imagery - 2017

PROJECT NO.

17-044

FIGURE 3

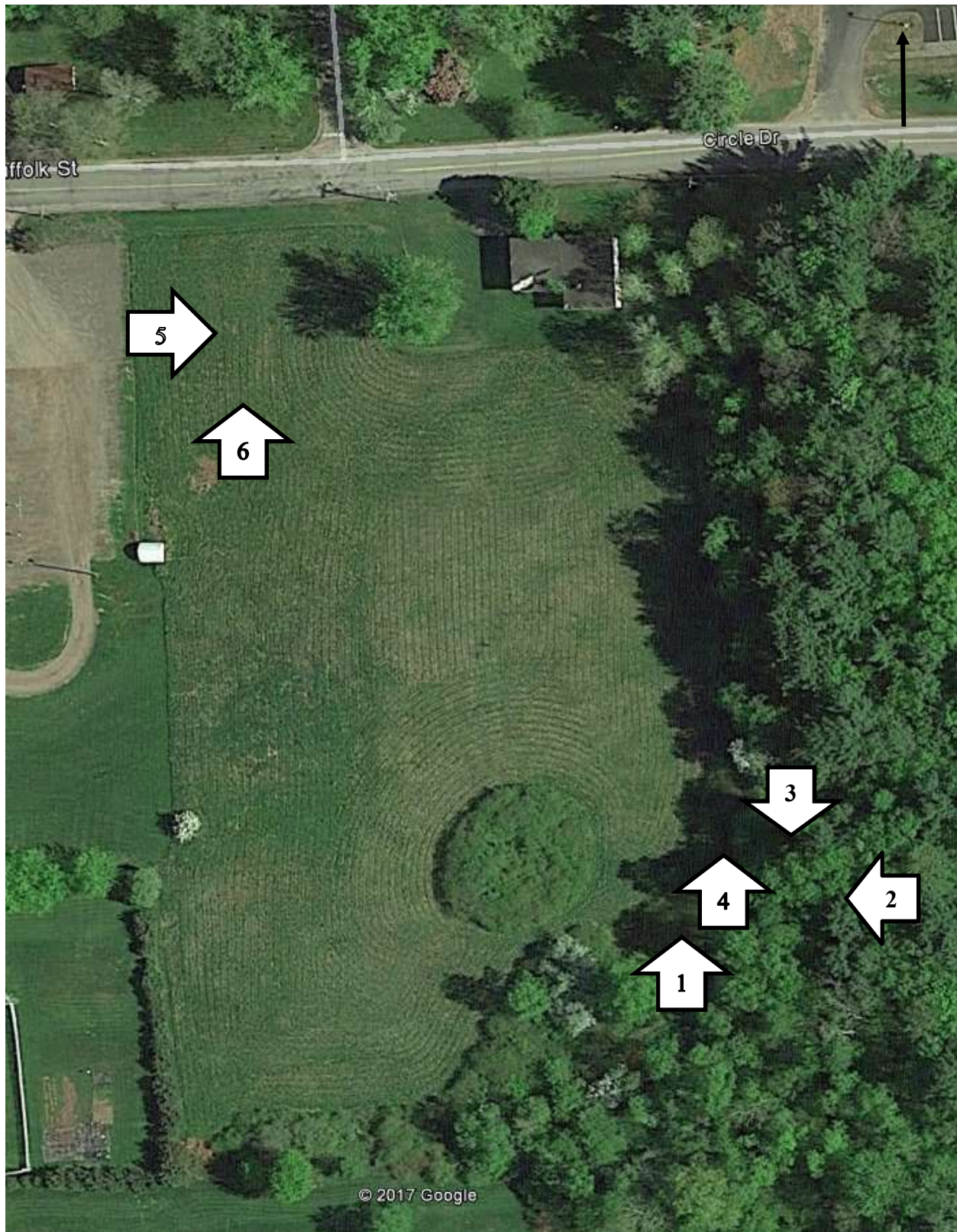


FIGURE 4: PHOTO DIRECTION KEY (GOOGLE 2017)



Photo 1: Location of Circle Drive Site (SUBi 2649), Looking North



Photo 2: Tested Area Near Circle Drive Site (SUBi 2649), Looking West



Photo 3: Tested Area Near Circle Drive Site (SUBi 2649), Looking South



Photo 4: Tested Area Near Circle Drive Site (SUBi 2649), Looking North



Photo 5: Location of Potentially Positive STP E1, Looking East



Photo 6: Location of Potentially Positive STP E1, Looking North

APPENDIX I
TRIBAL CORRESPONDENCE



Delaware Tribe Historic Preservation Representatives
P.O. Box 64
Pocono Lake, PA 18347
sbachor@delawaretribe.org

June 1, 2017

Governor's Office of Storm Recovery
New York State Homes & Community Renewal
38-40 State Street, Hampton Plaza
Albany, NY 12207

Re: Update to Section 106 Compliance for Circle Drive Neighborhood Development Project, Village of Sidney, Delaware County, New York

Ms. Shirley,

Thank you for sending the Delaware Tribe additional information regarding the above referenced project. Our review indicates that there are culturally significant areas within the proposed project area. We would like an archaeological assessment that includes subsurface testing within the APE.

In the event a concentration of artifacts and/or in the unlikely event any human remains are accidentally unearthed during the project that all work is halted until the Delaware Tribe of Indians is informed of the inadvertent discovery and a qualified archaeologist can evaluate the find.

We appreciate your cooperation and look forward to working together on our shared interests in preserving Delaware cultural heritage. If you have any questions, feel free to contact this office by phone at (610) 761-7452 or by e-mail at sbachor@delawaretribe.org.

Sincerely,

Susan Bachor
Delaware Tribe Historic Preservation Representative



Delaware Tribe Historic Preservation Representatives
P.O. Box 64
Pocono Lake, PA 18347
sbachor@delawaretribe.org

June 22, 2017

Governor's Office of Storm Recovery
New York State Homes & Community Renewal
38-40 State Street, Hampton Plaza
Albany, NY 12207

Re: Update to Section 106 Compliance for Circle Drive Neighborhood Development Project, Village of Sidney, Delaware County, New York

Ms. Shirley,

Thank you for sending the Delaware Tribe additional information regarding the above referenced project. Our review indicates that there are no culturally significant areas within the Private Property along W. Main St. We have no objections to this portion of the project. The Church Property, however, is still of concern and we look forward to reading the Phase Ib of this property.

In the event a concentration of artifacts and/or in the unlikely event any human remains are accidentally unearthed during the project that all work is halted until the Delaware Tribe of Indians is informed of the inadvertent discovery and a qualified archaeologist can evaluate the find.

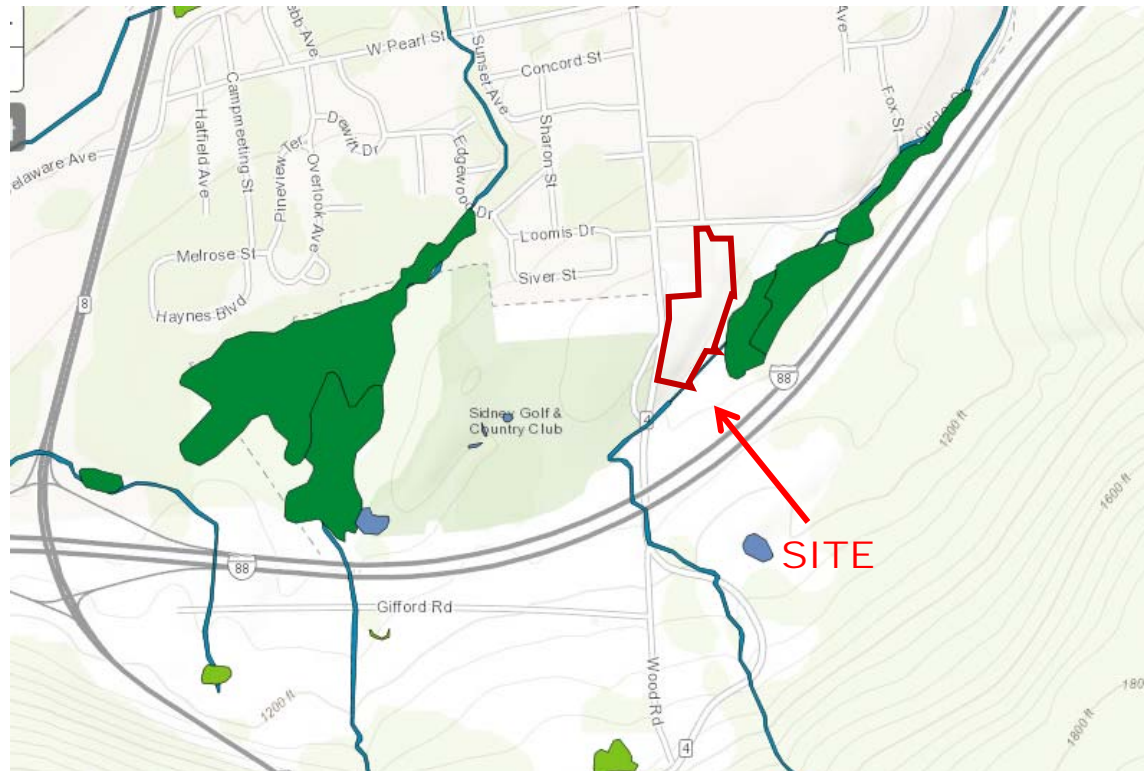
We appreciate your cooperation and look forward to working together on our shared interests in preserving Delaware cultural heritage. If you have any questions, feel free to contact this office by phone at (610) 761-7452 or by e-mail at sbachor@delawaretribe.org.

Sincerely,

Susan Bachor
Delaware Tribe Historic Preservation Representative

Wetland Figures

NWI Map



Legend:

Aerial Imagery Source: Google Earth (dated May 2013)

— Site Boundary



Circle Drive Development Project, West Main Street, Sidney, Delaware County, New York

FIGURE 4
WETLAND DELINEATION MAP



Legend:

Aerial Imagery Source: Google Earth (dated May 2016)

— Approximate Site Boundary

— Wetland Boundary

X Test Pit



Circle Drive Development Project, West Main Street, Sidney, Delaware County, New York

